

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

FLINT RIVERKEEPER, INC., et al.,

Plaintiffs,

v.

SOUTHERN MILLS, INC., d/b/a  
TENCATE PROTECTIVE FABRICS,

Defendant.

CIVIL ACTION NO. 5:16-CV-00435

**ORDER GRANTING JOINT MOTION TO STAY CASE**

Having reviewed the Parties' Joint Motion to Stay Case [Doc. 39] and finding good cause therefor, the Court **GRANTS** the Motion and hereby **ORDERS**:

1. This Case is **STAYED** until April 11, 2018, subject to the conditions below.
2. During the pendency of the stay, the Parties shall work in good faith to reach an amicable resolution of this matter.
3. The Parties will inform the Court of their progress during the stay by filing a Joint Status Report every month during the pendency of the stay, to be due by the 15th day of each month (or the first business day thereafter), commencing in November, 2017.
4. With regard to any document within the scope of the Parties' initial written requests deemed necessary to the efficient prosecution of a solution, the Parties may seek relief from the Court pursuant to the Court's Scheduling Order [Doc. 34], IV(H).
5. The Plaintiffs will forthwith withdraw their pending Motion to Dismiss TenCate's Counterclaim (Dkt. 26) without prejudice to renew such motion. Plaintiffs' time to respond to TenCate's Counterclaim is hereby extended day for day while the stay remains in effect. If

Plaintiffs renew the Motion to Dismiss, the Parties shall stand on their respective existing filings with respect to the Motion to Dismiss, and shall not file additional materials absent leave of Court.

6. Pursuant to Federal Rule of Civil Procedure 15(a) and with the consent of TenCate for a limited amendment, the Court hereby grants Plaintiffs leave to file an Amended Complaint no later than December 1, 2017 to add additional allegations contained in their Supplemental 60-Day Notice of Intent to Sue dated September 18, 2017. Such Amended Complaint shall only add the additional allegations contained in the Supplemental Notice to the existing Complaint. The time for TenCate to respond to the Amended Complaint shall be tolled until fourteen (14) days after dissolution or expiration of the stay.

7. Either party may move the Court for a dissolution of the stay at any time during its pendency, provided however that any such motion shall include a certification by Counsel that any impasse was attempted to be resolved in good faith prior to the filing of such motion.

8. The Court may direct that the stay be lifted or that the Parties supplement their Joint Status Reports at its own discretion,

8. If this matter is not resolved during the pendency of the stay, or any further extension granted by the Court, a Case Management Conference shall be set to establish new deadlines for the conduct of this action.

**SO ORDERED** this 12th day of October, 2017.

S/ C. Ashley Royal  
C. ASHLEY ROYAL, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

